APPENDIX "A."

"Chap. V. *An Act to extend the Provisions of 'An Act to enable the State of Arkansas, and other States to reclaim the swamp lands within their limits' to Minnesota and Oregon, and for other purposes.*

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of the act of Congress entitled 'An act to enable the State of Arkansas and other states to reclaim the swamp lands within their limits,' approved September twenty-eight, eighteen hundred and fifty, be, and the same are hereby, extended to the States of Minnesota and Oregon; PROVIDED: That the grant hereby made shall not include any lands which the government of the United States may have reserved, sold, or disposed of (in pursuance of any law heretofore enacted) prior to the confirmation of title to be made under the authority of the said act.

"Sec. 2. And be it further enacted, That the selection to be made from lands already surveyed in each of the States including Minnesota and Oregon, under the authority of the act aforesaid, and of the act to aid the State of Louisiana in draining the swamp lands therein, approved March second, one thousand eight hundred and forty-nine, shall be made within two years from the adjournment of the legislature of each State at its next session after the date of this act; and, as to all lands hereafter to be surveyed, within two years from such adjournment, at the next session, after notice by the Secretary of the Interior to the governor of the State, that the surveys have been completed and confirmed.

"Approved, March 12, 1860."

12 U. S. Statutes at Large, p. 3.

APPENDIX "B."

"Chap. LXXXIV. *An act to enable the State of Arkansas and other states to reclaim the swamp lands within their limits.*

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That to enable the State of Arkansas to construct the necessary levees and drains to reclaim the swamp and overflowed lands therein, the whole of those swamp and overflowed lands, made unfit thereby for cultivation, which shall remain unsold at the passage of this act, shall be, and the same are hereby granted to said State.

"Sec. 2. *And be it further enacted,* That it shall be the duty of the Secretary of the Interior, as soon as may be practicable after the passage of this act, to make out an accurate list and plats of the lands described as aforesaid, and transmit the same to the governor of the State of Arkansas, and, at the request of said governor, cause a patent to be issued to the State therefor; and on that patent, the fee simple to said lands shall vest in the said State of Arkansas, subject to the disposal of the legislature thereof: PROVIDED, *however,* That the proceeds of said lands, whether from sale or by direct appropriation in kind, shall be applied, exclusively, as far as necessary, to the purpose of reclaiming said lands by means of the levees and drains aforesaid.

"Sec. 3. *And be it further enacted,* That in making out a list and plats of the land aforesaid, all legal subdivisions, the greater part of which is 'wet and unfit for cultivation,' shall be included in said list and plats; but when the greater part of a subdivision is not of that character, the whole of it shall be excluded therefrom.

"Sec. 4. *And be it further enacted,* That the provisions of this act be extended to, and their benefits be conferred upon, each of the other states of the Union, in which such swamp and overflowed lands, known and designated as aforesaid, may be situated.

"Approved, September 28, 1850."

9 U. S. Statutes at Large, p. 519.

APPENDIX "C."

An act granting certain swamp lands to the Duluth and Iron Range Railroad Company.

Be it enacted by the Legislature of the State of Minnesota:

"Section 1. That for the purpose of aiding the Duluth and Iron Range Railroad Company, a corporation organized under and by virtue of laws of Minnesota, to construct a railroad from Duluth, by the shortest and most feasible route, to the northeast corner of township number sixty north, of range number twelve west, on the Missabee iron range; there is hereby granted to the said corporation or its assigns, an amount of swamp lands belonging or hereafter to accrue to the state under the act of Congress of March twelfth, eighteen hundred and sixty, equal to ten sections per mile for each mile of said road that may be completed, to be selected within ten miles on each side on the line of said road; and in case there shall not be sufficient amount of said swamp lands unsold or unappropriated within each ten mile section of said road as completed, then said company shall have the privilege of locating the deficiency on any of the swamp lands belonging or to accrue to the state, not otherwise previously disposed of, within the counties of St. Louis, Lake and Cook, and no other counties in the state; *Provided*, That the gauge of said railroad shall not be less than three feet, with iron or steel rails of not less than twenty-five pounds to the yard; *And provided further*, that no lands shall inure to the said company under this act, until all grants of swamp lands previously made by the state shall be fully satisfied or have become forfeited by loss of time, or by failure to fulfill the conditions annexed to the said respective grants or otherwise.

"Section 2. That when the governor of the state shall be duly notified (by the company aforesaid,) of the completion of each and every ten miles of said road, it shall be his duty to have the same examined by sworn commissioners, and on their certificate of the completion of each consecutive ten miles in a good and substantial manner as contemplated by this act, he shall notify the secretary of state, who shall forthwith cause swamp land certificates to be issued to the president and directors of said railroad company for the number of acres to which they shall be entitled under this act, for the number of miles so completed as provided in section one; *Provided*, That within twelve months from the passage of this act, the company aforesaid shall cause a survey of the line of said road to be made, and file a map of the same with the secretary of state; *And Provided further*, That at least twenty miles of said road shall be built within two years from the date of this act, and the whole completed within five years; *And further provided*, That none of the lands hereby granted shall be subject to taxation until the expiration of five years from the issuance of the patent by the state, unless previously sold or disposed of by said railroad company.

"Sec. 3. That after the filing of the map showing the line of road as provided in the last preceding section, all of the swamp lands belonging to the state for ten miles on each side of the line of said road shall be withdrawn from sale for the purposes contemplated in this act.

"Sec. 4. This act shall take effect and be in force from and after its passage.

"Approved March 9, 1875."

APPENDIX "D."

The so-called five million loan amendment to Section 10, Article 9, of the Constitution of Minnesota.

(Adopted April 15, 1858).

"The credit of this state shall never be given or loaned in aid of any individual, association or corporation, except that for the purpose of expediting the construction of the lines of railroads, in aid of which the Congress of the United States has granted lands to the territory of Minnesota, the governor shall cause to be issued and delivered to each of the companies in which said grants are vested by the legislative assembly of Minnesota, the special bonds of the state, bearing an interest of seven per cent per annum, payable semi-annually in the city of New York, as a loan of public credit, to an amount not exceeding twelve hundred and fifty thousand dollars, or an aggregate amount to all of said companies not exceeding five millions of dollars, in manner following, to-wit:

"Whenever either of the said companies shall produce to the governor satisfactory evidence, verified by the affidavits of the chief engineer, treasurer and two directors of said company, that any ten miles of the road of said company has been actually constructed and completed, ready for placing the superstructure thereon, the governor shall cause to be issued and delivered to such company, bonds to the amount of one hundred thousand dollars; and whenever thereafter and as often as either of said companies shall produce to the governor, like evidence of a further construction of ten miles of its road, as aforesaid, then the governor shall cause to be issued to such company further like bonds to the amount of one hundred thousand dollars for each and every ten miles of road thus con-

structed; and whenever such company shall furnish like evidence that any ten miles of its road is actually completed and cars running thereon, the governor shall cause to be issued to such company like bonds to the amount of one hundred thousand dollars; and whenever thereafter, and as often as either of said companies shall produce to the governor like evidence that any further ten miles of said road is in operation as aforesaid, the governor shall cause to be issued to such company further like bonds to the amount of one hundred thousand dollars until the full amount of the bonds hereby authorized shall be issued; provided, that two-fifths, and no more, of all bonds issued to the Southern Minnesota Railroad Company shall be expended in the construction and equipment of the line of road from La Crescent to the point of junction with the Transit Road, as provided by law; and further provided, that the Minneapolis and Cedar Valley Railroad Company shall commence the construction of their road at Faribault and Minneapolis, and shall grade an equal number of miles from each of said places.

"The said bonds thus issued shall be denominated 'Minnesota State Railroad Bonds,' and the faith and credit of this State are hereby pledged for the payment of the interest and the redemption of the principal thereof. They shall be signed by the governor, countersigned and registered by the treasurer, sealed with the seal of the state, of denominations not exceeding one thousand dollars, payable to the order of the company to whom issued, transferable by the endorsement of the president of the said company, and redeemable at any time after ten and before the expiration of twenty-five years from the date thereof. Within thirty days after the governor shall proclaim that the people have voted for a loan of state credit to railroads, any of said companies proposing to avail themselves of the loan herein provided for and to accept the conditions of the same, shall notify the governor thereof, and shall, within sixty days, commence the construction of their roads, and shall

within two years thereafter, construct, ready for the superstructure, at least fifty miles of their road. Each company shall make provision for the punctual payment and redemption of all bonds issued and delivered as aforesaid to said company, and for the punctual payment of the interest which shall accrue thereon, in such manner as to exonerate the treasury of this state from any advances of money for that purpose; and as security therefor the governor shall demand and receive from each of said companies, before any of said bonds are issued, an instrument pledging the net profits of its road for the payment of said interest, and a conveyance to the state of the first two hundred and forty sections of land free from prior incumbrances, which such company is or may be authorized to sell, in trust, for the better security of the treasury of the state from loss on said bonds; which said deed of trust shall authorize the governor and secretary of state to make conveyances of title to all or any of such lands to purchasers agreeing with the respective railroad companies therefor; provided, that before releasing the interest of the state to such lands, such sale shall be approved by the governor, but the proceeds of all such sales shall be applied to the payment of interest accruing upon the bonds in case of default of the payment of the same, and as a sinking fund to meet any future default in the payment of interest and the principal thereof when due; and as further security, an amount of first mortgage bonds on the roads, lands and franchises of the respective companies, corresponding to the state bonds, issued, shall be transferred to the treasurer of the state at the time of the issue of state bonds; and in case either of said companies shall make default in payment of either the interest or principal of the bonds issued to said companies by the governor, no more state bonds shall thereafter be issued to said company, and the governor shall proceed in such manner as may be prescribed by law, to sell the bonds of the defaulting company or companies, or the lands held in trust as above, or may require a foreclosure of the mortgage, executed to secure the same; provided, that if any

company so in default, before the day of sale, shall pay all interest and principal then due, and all expenses incurred by the state, no sale shall take place, and the right of said company shall not be impaired to a further loan of state credit; provided, if any of said companies shall at any time offer to pay the principal, together with the interest that may then be due, upon any of the Minnesota state railroad bonds which may have been issued under the provisions of this section, then the treasurer of state shall receive the same; and the liabilities of said company or companies in respect to said bonds shall cease upon such payment into the state treasury, of principal, together with the interest as aforesaid; provided further, that in consideration of the loan of state credit herein provided, that the company or companies which may accept the bonds of the state in the manner herein specified, shall, as a condition thereof, each complete not less than fifty miles of its road on or before the expiration of the year 1861, and not less than one hundred miles before the year 1864, and complete four-fifths of the entire length of its road before the year 1866; and any failure on the part of any such company to complete the number of miles of its road or roads, in the manner and within the several times herein prescribed, shall forfeit to the state all the right, title and interest of any kind whatsoever in and to any lands, together with the franchises connected with the same not pertaining or applicable to the portion of the road by them constructed, and a fee simple to which has not accrued to either of said companies by reason of such construction, which was granted to the company or companies thus failing to comply with the provisions hereof, by act of the legislature of the territory of Minnesota, vesting said land in said companies respectively: (Expunged by amendment to Sec. 10, Art. 9, ante.)